HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.14481 of 1999

Dated 11th day of April, 2007

Between:

Yaramati Veera Venkata Satyanarayana
and another ..
Petitioners

And

The District Collector,
East Godavari District, Kakinada
and two others ..
Respondents

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O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in not taking any action on the petitioners' representation dated 22.6.1999 for removal of encroachments made on the drainage channel, as arbitrary and illegal.

The brief facts of the case are that the petitioners are the owners of the land of an extent of Ac.3.00 cents in S.No.7 situated in Pedapudi village, East Godavari District and the land is being irrigated from a drainage channel called Bodikalava, which is adjacent to their land on the western side. On the eastern side, there is a Government kutcha road, which is being used by the general public for passage to their fields. While so, some persons encroached the drainage channel and a portion of the road and started making construction of houses causing hardship to the farmers. The Water Users President, in order to help them, diverted the drainage channel outlets to the agricultural lands. Now, the petitioners' grievance is that though they made a representation, dated 22.6.1999, the 3rd respondent has not initiated any action against those, who encroached on the drainage channel.

Heard the learned counsel for both the parties.

The main grievance of the petitioners is that though they made a representation, the 3rd respondent has not initiated any action for removal of encroachments on the drainage channel. In the light of the same, this Court deems it appropriate to direct the 3rd respondent-Mandal Revenue Officer to enquire into the representation dated 22.6.1999 made by the petitioners and pass appropriate orders in

accordance with law.

With the above direction, this writ petition is disposed of. No costs.

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11.04.2007

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